

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROGER THORSON

Plaintiff

versus

CIVIL ACTION NO. 4:08-CV-00129-WAP-DAS

CHRISTOPHER EPPS, et al.,

Defendants

**ORDER STAYING CASE
PURSUANT TO LOCAL RULE 16.1(B)(4)**

This matter is before the Court on the Motion of the Defendants, in their official capacities, to Dismiss pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure, including, *inter alia*, on the grounds of Eleventh Amendment immunity. Rule 16.1(B)(4) of the Uniform Local Rules of the United States District Courts for the Northern and Southern Districts of Mississippi state that the filing of an immunity defense motion shall stay all discovery not relevant to the immunity issue and shall stay the parties' obligation to make further disclosures pending the Court's ruling on the Motion. Local Rule 16.1(B)(4) further requires that the moving party submit to the United States Magistrate Judge a proposed Order granting such a stay. Accordingly, it is therefore,

ORDERED that, pursuant to Local Rule 16.1(B)(4), and in light of the fact that the Defendants have filed a potentially dispositive motion raising the defense of Eleventh Amendment immunity, all discovery in this matter not relevant to the issue of Eleventh Amendment immunity is hereby stayed, including the making of any further disclosures by any party, all pending this Court's ruling on Defendants' Motion to Dismiss.

In accordance with Local Rule 16.1(B)(4)(d), upon receiving a ruling from the Court on Defendants' Motion to Dismiss, the plaintiff shall notify the undersigned United States Magistrate

Judge of a decision on the immunity defense Motion and shall submit an Order Lifting the Stay.

Within fifteen (15) days of the Order Lifting the Stay, the parties shall confer in accordance with the Local Rules.

This the 20th day of November, 2008.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE